

Terms and Conditions of medico-legal work undertaken by

Dr Joshua Westbury

Consultant Child and Adolescent Psychiatrist
MA Cantab MBBS Lond MRCPsych

With effect from 1st November 2017

1. Fees for reports, correspondence and joint statements

All fee tariffs, as defined in clause 6 herein below, for the production of reports and correspondence are based on time spent on preparatory background reading, examination of the client, and preparation, dictation, checking and amending of documents.

Legal Services Commission rates will be charged from 3 October 2011 as per The Community Legal Service (Funding) (Amendment No.2) Order 2011 where applicable

2 hours is normally allocated for the examination of the claimant and one hour for subsequent examinations unless the circumstances are such that a lengthier interview is indicated.

In the case of joint statements, the time spent in discussion with the other expert(s) is charged at the same rate as the reports.

If there is a ceiling of costs this must be clearly specified and discussed with Dr. Westbury before any work is undertaken.

If, during the course of interview with the client, or perusal of documents, it appears that the report will take longer to prepare than the previously agreed ceiling might allow Dr. Westbury will discuss this with the instructing party before proceeding further.

Additional charges on all cases to cover room rental (interview) and secretarial expenses.

2. Fees for attendance at Conference or Court

£1600 per day plus travel expenses and accommodation, if necessary.

3. Cancellation fees for conference and court appearances

For cancellation within 2 working days 100% of the fee (£1600) will be charged.

For cancellation between 5 and 2 working days 50% (£1600) of the fee will be charged. The fee will be reduced according to what additional paid clinical work Dr. Westbury is able to obtain at short notice.

4. Fees for non-attendance of appointments

If a client fails to attend an appointment or else cancels an appointment with insufficient notice to allow for an alternative appointment for another patient to be allocated made, the right to charge a fee equivalent to the allocated appointment time (2 hours) is reserved at the discretion of the consultant plus administration fees and office time.

5. Refunds and waivers

Fees are not subject to a refund or waiver in whole or in part in the event of disallowance or reduction on the Court's assessment for costs and fees or refusal by the funding, paying or contributing party/firm to pay in full, part or at all.

6. Tariff rates

All conditions and terms to be agreed at point of instruction. In the case of transfer of the case to another set of solicitor's payment must be made prior to transfer.

Fees and costs are charged according to the following tariffs:

Tariff 0

(In respect of routine matters and where work is carried out within normal business hours and settlement is made within 30 days.) £175 per hour

Tariff 1

(In respect of routine matters and where work is carried out within normal business hours and settlement is made within 90 days.) £200 per hour

Tariff 2

(In respect of routine matters and where work is carried out within normal business hours and settlement is made within 1 year or at the end of the case, whichever is sooner.) £225 per hour

Tariff 3

(In respect of routine matters and where work is carried out within normal business hours and settlement is made within 2 year or at the end of the case, whichever is sooner.) £250 per hour

Legal Services Commission rates will be charged from 3 October 2011 as per The Community Legal Service (Funding) (Amendment No.2) Order 2011 where applicable

8. VAT

All fees are subject to Value Added Tax at the normal rate.

(Anglo-European Clinic VAT Registration no. 920477725.)

9. Joint instructions

In the event of joint instructions, fee liability is joint and several.

10. Time to submission of reports

Reports are usually completed and submitted within 3 weeks of interview. Delays may result if key documents are missing.

11. Due diligence and Case records

Instructing solicitors or companies will use their best endeavours to give full instructions and also to supply all necessary records and information - including relevant medical personnel and occupational health records – several weeks prior to interview, which they may be reasonably asked to supply in relation to the claim and or court proceedings, in order to prepare the interview and examination.

All notes records and papers will be shredded at the conclusion of the case unless their return is requested in writing.

12. Terms application.

These terms override the terms and conditions of any instructing party.

13. Operation of Terms

These terms and conditions will apply to all instructions received or work carried out on or after 1st November 2017.



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TYPICAL TIME ESTIMATES

These time estimates are given as a guide only and do not form part of the above terms and conditions.

Medico-legal reports in average Medical reports and Personal Injury cases:

The estimated total time spent in preparation of reports is normally between 3½ and 8 hours